

Appl. No. 10/663,096
Amendment dated July 14, 2004
Reply to Non-Final Office Action of May 21, 2004

REMARKS

Claims 1-3 were pending. By this amendment, claim 2 was canceled and its matter added to claim 1. The claims pending are therefore 1 and 3. For the following reasons these claims are allowable over the art of record, including the art cited by applicants in their May 20, 2004 information disclosure statement.

Claim Rejections - 35 U.S.C. § 112

Claims 1-3 were rejected as indefinite in their use of the terms "tube-like," "piston-like," and "holding element." "Tube-like" and "piston-like" in claims 1 and 3 have been replaced by the more definite "tubular" and "piston." In addition, all instances of "holding element" now are modified by "tubular" to be consistent throughout the claims. It is believed these amendments render the claims definite.

Claim Rejections -35 U.S.C. § 102

Claim 1 was rejected as anticipated by U.S. 3,612,705 (Duval). However, it was also stated that claims 2 and 3 would be allowable if rewritten in independent form. Claims 1 and 2 have been merged, and claim 3 now depends from claim 1. Claims 1 and 3 are allowable over the art because that art neither shows nor suggests a dispenser in which the screwthread-free region of the spindle has a smaller length than the internal screwthread of the piston element.

14-Jul-04 10:09

From:HENKEL CORPORATION PATENT DEPT.

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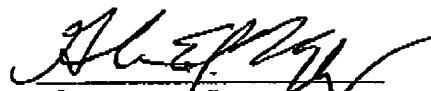
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CONCLUSION

In view of the amendments and remarks above, Applicants ask for reconsideration and allowance of all pending claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully submitted,



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